

LEATHERWOOD WALKER TODD & MANN, P.C.

ATTORNEYS AT LAW

THE LEATHERWOOD PLAZA

300 EAST MCBEE AVENUE, SUITE 500  
GREENVILLE, SOUTH CAROLINA 29601

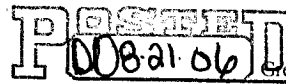
FAX: (864) 240-2477

TELEPHONE: (864) 242-6440

August 17, 2006

JOHN E. JOHNSTON, JR.  
HARVEY G. SANDERS, JR.  
DAVID A. QUATTLEBAUM III  
JOSEPH E. MAJOR  
DUKE K. MCCALL, JR.  
EARLE G. PREVOST  
J. RICHARD KELLY  
A. MARVIN QUATTLEBAUM  
JACK H. TEDARDS, JR.  
F. MARION HUGHES  
MICHAEL J. GIESE  
MARK R. HOLMES  
WILLIAM L. DENNIS  
NATALMA M. MCKNEW  
ROBERT A. DEHOLL  
RICHARD L. FEW, JR.  
STEVEN E. FARRAR  
NANCY HYDER ROBINSON  
H. GIBERT SANDERS, III  
THOMAS W. EPTING  
JAMES L. ROGERS, JR.  
DAVID E. HODGE  
FRANK C. WILLIAMS III  
WILLIAM L. PITMAN  
ROBERT D. MOSELEY, JR.  
JAMES T. HEWITT

KURT M. ROZELSKY  
J. TOD HICHE  
LAUREL R.S. BLAIR  
JAMILE J. FRANCIS III  
JOHN  
SEANN GRAY TZOUVELEKAS  
WILLIAM B. SWENT  
LAURIN MILFORD MCDONALD  
MICHELE FULLER LYERLY  
PETER A. RUTLEDGE  
PAUL E. HAMMACK  
PETER B. BYFORD  
CARI V. HICKS  
MARY H. WATTERS  
J. KURT SCHUMACHER, JR.  
JONATHAN D. HAMMOND  
JENNIFER ADAMSON MOORHEAD  
ALEXANDRE N. MACCLENAHAN  
J. DERHAM COLE, JR.  
ERIKA B. NEWSON  
ZANDRA L. JOHNSON  
S. BROOKE CHAPMAN  
P. GRIFFIN BELL  
THOMAS M. LARKIN  
REBECCA H. ZABEL



Mailing Address:

Post Office Box 87  
Greenville, SC 29602-0087

COUNSEL:

JAMES H. WATSON

D.B. LEATHERWOOD  
1896-1989

WESLEY M. WALKER  
1915-1999

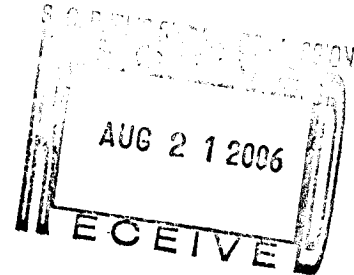
FLETCHER C. MANN  
1921-2003

WRITER'S

Direct Dial: 864-240-2403

Direct Fax: 864-240-2474

E-Mail: dmccall@lwtrm.com



Charles L.A. Terreni  
Chief Clerk/Administrator  
Public Service Commission  
Post Office Drawer 11649  
Columbia, SC 29210

Re: Docket No. 2006-107-W/S  
Application of United Utility Companies, Inc. for  
Approval of an Adjustment of Rates and Charges for the Provision  
of Water and Sewer Service

Dear Mr. Terreni:

Enclosed on behalf of North Greenville University are the original and one copy of the Response to Applicant's Motion for Order Prohibiting Introduction or Admission of Surrebuttal Testimony of Dr. James Epting and our Motion for Leave to Serve Surrebuttal Testimony Late, along with the original and one copy of our Certificate of Mailing, which documents I have this day filed electronically.

By a copy of this letter, I am sending all known parties copies of these documents, along with copies of our Certificates of Mailing

With kind regards, I am

Yours very truly,

Duke K. McCall, Jr.

Leatherwood Walker Todd & Mann, P.C.

DKM,Jr./bw

Enclosures

cc: Mr. John M. S. Hoefer  
Willoughby & Hoefer, P.A.  
PO Box 8416  
Columbia, SC 29202-3416

Mr. Benjamin P. Mustian  
Willoughby & Hoefer, P.A.  
PO Box 8416  
Columbia, SC 29202

Ms. Jacqueline H. Patterson  
Patterson & Cocker, P.A.  
1225 South Church Street  
Greenville, S.C. 29605

Ms. Shannon Hudson  
Ms. Nanette S. Edwards  
Office of Regulatory Staff  
PO Box 11263  
Columbia, SC 29211

Mr. George K. Lyall  
Attorney at Law  
4573 Coach Hill Drive  
Greenville, SC 29615

Mr. Newton Horr  
Lake Trollingwood Homeowners Ass'n  
131 Greybridge Road  
Pelzer, S.C. 29669

THE PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA

DOCKET NO. 2006-107-W/S

IN RE: )  
 )  
Application of United Utility Companies, )  
Inc. for adjustment of rates and charges )  
and modifications to certain terms )  
and conditions for the provision of )  
water and sewer service. )  
\_\_\_\_\_ )

**MOTION FOR LEAVE TO SERVE  
SURREBUTTAL TESTIMONY LATE**

Intervenor, North Greenville University (the "University"), hereby moves for an Order permitting it to serve the Surrebuttal Testimony of Dr. James Epting, Elaine King and Dr. Jon Boulet one day late.

By letter dated May 11, 2006, the Commission's Docketing Department declared that all surrebuttal testimony must be prefiled with the Commission and served on all parties of record by August 14, 2006. This letter further specified that "service" on all parties of record must be actual delivery on such date, as opposed to the testimony being postmarked on this date. On August 14, 2006, North Greenville University filed with the Commission the Surrebuttal Testimony of Dr. James Epting, Elaine King and Dr. Jon Boulet and further put such testimony in the mail to be served on all parties of record. Counsel for the University did not realize that this testimony must be actually served on August 14 and believed in good faith that a post-marked date of August 14, 2006 satisfied the Commission's deadline. As a result of counsel's mistake, the surrebuttal testimony did not reach the hands of the Applicant until August 15, 2006.

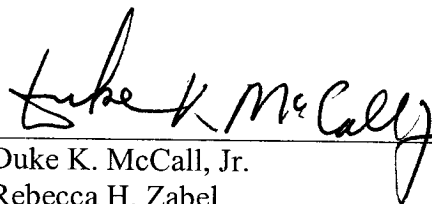
The University believes that it would be unfair to prohibit the introduction of this testimony into the record simply because of the honest mistake of its counsel and therefore respectfully requests that the Commission accept its surrebuttal testimony and introduce the same into the record, despite the fact that Applicant did not actually receive a copy of the testimony

until one day after the due date. In support of this request, the University submits that the Applicant could not have suffered any serious prejudice as a result of receiving this testimony one day late, nor has the Applicant claimed to have suffered any prejudice. The University further submits that its failure to timely file was in no way intentional or willful. A party should not be denied the right to testify unless there has been a showing of “wilful [sic] disobedience or gross indifference to the rights of the adverse party.” Orlando v. Boyd, 320 S.C. 509, 466 S.E.2d 353 (1996). The University had every intention of following the Commission’s directives and attempted in good faith to do so; its counsel simply mistakenly believed that putting the testimony in the mail on the deadline was effective service.

Finally, as a customer of Applicant, the University believes that it is in the public interest that its surrebuttal testimony be admitted and introduced into evidence as it directly relates to the matters at issue in the instant application for rate increase. In light of the public interest in fair and reasonable utility rates, and considering that the Applicant could not have suffered any prejudice from a one day delay, the University submits that it should not be denied the right to submit its surrebuttal testimony.

Accordingly, for the reasons set forth above, North Greenville University respectfully requests an Order allowing it to serve the Surrebuttal Testimony of Dr. James Epting, Elaine King and Dr. Jon Boulet one day late.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Duke K. McCall, Jr.", written over a horizontal line.

Duke K. McCall, Jr.

Rebecca H. Zabel

Attorneys for Intervenor, North Greenville University

Leatherwood Walker Todd & Mann P.C.

Post Office Box 87

Greenville, S.C. 29602

(864) 242-6440

**THIS DOCUMENT IS AN EXACT DUPLICATE, WITH THE EXCEPTION OF THE  
FORM OF THE SIGNATURE, OF THE E-FILED COPY SUBMITTED TO THE  
COMMISSION IN ACCORDANCE WITH ITS ELECTRONIC FILING  
INSTRUCTIONS.**

THE PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA

DOCKET NO. 2006-107-W/S

IN RE:

Application of United Utility Companies,  
Inc. for adjustment of rates and charges  
and modifications to certain terms  
and conditions for the provision of  
water and sewer service.

**CERTIFICATE OF MAILING**

IT IS HEREBY CERTIFIED that a copy of North Greenville University's **Motion for Leave to Serve Surrebuttal Testimony Late** was served upon all interested parties by placing a copy of the same in the United States Mail, postage prepaid, on the 17th day of **August, 2006**, addressed as follows:

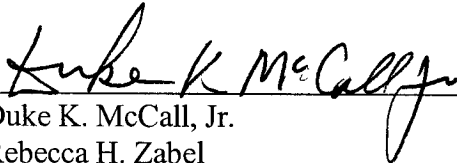
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\_\_\_\_\_  
Duke K. McCall, Jr.  
Rebecca H. Zabel  
Attorney for North Greenville University  
Leatherwood Walker Todd & Mann P.C.  
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